

**MIDWAY WATER ADVISORY BOARD
MONDAY FEBRUARY 1, 2016
MEETING MINUTES**

Minutes of the Midway Water Advisory Board meeting held February 1, 2016 at 6:00 p.m. in the Midway City Office Building, 75 North 100 West, Midway, UT.

Roll Call

Irrigation Members: Chairman/Steve Farrell, Grant Kohler, Hylton Hauter. Midway City: Mayor Colleen Bonner, Council Member Karl Dodge, Michael Henke, City Planner. Excused was Council Member Kenny VanWagoner and Water Board Secretary Jennifer Sweat

General Consent Calendar

Chairman Farrell asked for approval of the General Consent Calendar which consisted of

- a. Approval of the Agenda for February 1, 2016
- b. Approval of the Minutes of January 4, 2016

Motion: Mayor Bonner made a motion to approve the General Consent Calendar Midway Irrigation Member Grant Kohler 2nd the motion. It was carried unanimously.

Mountain Goat Apartments – 269 East Main

Michael Henke, City Planner reviewed the property which is approximately .4 acres and located in the C-2 zone. The irrigated acres are 0.0498 which is 2,169 sq. ft. They will construct an apartment building which will have 4 apartments in it. Currently there is a home on the property with two (2) bathrooms, kitchen and Laundry Room. The applicant Kim and Jean Hoover plan to leave the home and turn it into a commercial building, but will be taking down the addition to the original home. They will leave one (1) bathroom in the home. They do want to leave the kitchen sink. Michael explained that in order to be commercial the kitchen would need to be removed completely, and the City would require this.

The board reviewed the property visually via google earth, and reviewed the zoning map. They board discussed various planning aspects of the property that would not impact the water board decision regarding water requirements.

Michael presented the board with two options for the property:

1. Credit the proposed commercial and landscaping with the historic connection, and Require four (4) acre feet for the apartment units.
2. Credit one (1) apartment with the culinary connection and credit outside irrigation, require three (3) acre feet for three (3) apartments, and require one (1) acre foot for the commercial use.

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They are removing the grass, and it will just be gravel. Historically the board has given the existing home the credit. With that taken into account the property would need to turn in 4 acre feet for the new apartment building, and the proposed commercial house would retain the historic connection. Therefore, the board felt option one (1) was the right direction to go.

Chairman Farrell asked if there were further questions regarding this item? There was not.

Motion: Mayor Bonner stated that the board would make a recommendation to the City Council that the property be given credit for the existing home of 1.5 acre feet or ½ share of water, and that they turn in 4 acre feet of water (1 ½ Share) for the fourplex. City Council Member Karl Dodge 2nd the motion. It was carried unanimously.

Deer Creek Estates – 700 South Center Street (Regal Homes)

Paul Berg, who was representing Regal Homes stated there was two reasons why they were back today for water board consideration.

1. To identify the difference of Phase one (1) and Phase two (2)
2. To find out if there was any water shares available to lease around 14 ½ acre feet (4.5 shares)

The property has been before the board before. The property was going to be developed into two phases. Phase one (1) will remain the same with 14 units. Phase two (2) will have 25 units. The total amount of water that would be needed for the project would be 82.05 acre feet (27.35 shares). The property has already had 67.50 acre feet (22 ½ shares) turned in for the previous project. There is a home on the property that will be removed, and the developed would ask for 1 ½ acre feet (1/2 share) credit for that home. The board agreed with that calculations.

They would have enough water for Phase one (1), however they would need to come up with an additional 14 ½ acre feet (4 ½ Shares) for Phase two (2)

There was discussion by the applicants if it would be possible to lease any water from the City? The City is currently conducting a water audit and until that is completed no new leasing of any water will be occurring. If we do have anything extra the plan is that the City will use that water for the parks.

The developer discussed that they own The Links/Cervino and that they currently have a lease with the City which works well for them. He doesn't think that 4 ½ shares are that much to ask to lease. Mayor Bonner stated that no it doesn't seem like that much, however until the audit is completed, it would not be possible to lease any water.

The developer asked if the board knew how much longer the audit would take? Mayor Bonner stated that the audit had taken longer than normal. There are several catalyst and parts to the audit, and the City hoped to get the audit finished soon. The goal is to not set a precedent has we

have gotten in to a bit of trouble in the past. We really want to make sure we have a good understanding of our water needs, and where we are with everything. Once the audit is completed, policy will need to be made, but until its completed we aren't sure where we are going yet.

The developer understood what the City was saying, and that they would like to be considered for a lease but it sounds like they need to start looking for water. The board agreed.

The developer asked if they turn in the water, and more is given then needed will they get that water back. The board stated that no at this time they would not, that is why the City is doing the audit, because it could be you do not turn in enough water, but we wouldn't come back to you for more to be turned in. If they haven't turned water in and the ordinance changes, then they could always come back to the Water Board to see if it made a difference in the requirement.

There was discussion that they may decide to do the project in three (3) phases, and if that was the case they would again need to come back to the Water Board for approval.

Chairman Farrell asked if there were further questions regarding this item? There was not.

Motion: City Council Member Karl Dodge made the motion to recommend to the City Council that Deer Creek Estates would be required for Phase one (1) and Phase two (2) to have 26.85 shares or 80.55 acre feet be turned in for the project. This figure gives ½ share or 1 ½ acre feet credit for the existing home which will be removed. The property has already had 22 ½ shares or 67.50 acre feet turned in to the City. Phase one (1) has the required water, however phase two (2) is short by 4 ½ shares or 13.05 acre feet which will need to be turned in to the City before phase two (2) can be recorded. Midway Irrigation Member Grant Kohler 2nd the motion. It was carried unanimously.

New/Old Business

Chairman Steve Farrell was concerned with the water audit and the questions he was receiving from Van King who is conducting the audit. He was concerned with the information that Mr. King was getting from the state website, that was incorrect, and Steve had given Mr. King the correct information. He wasn't sure of Mr. Kings level of comfort. Mayor Bonner understood his concerns, but felt that Mr. King was still gathering a lot of information still and that no decisions had been made.

Mayor Bonner moved to go into executive session, with Midway Irrigation Member Hylton Hauter 2nd the motion.

Midway Irrigation Member Grant Kohler moved to come out of executive session, Midway Irrigation Member Hylton Hauter 2nd the motion.

The board discussed the following items briefly:

1. Snake Creek Tunnel – Work will begin again on the tunnel next week
2. There is work being done behind Roy Remunds old property, they are doing something with the Ditch, Michael asked if MIC was aware, they were not aware but would check with them to make sure whatever work they were doing was up to MIC standards. The City had received a concept plan for the property for they had no approval. Michael had actually just asked them to go back to the drawing board with changes he saw that were needed.

The board discussed how to have better communication on projects so that everyone that needs to be aware of something has that knowledge.

Chairman Farrell asked if there was any other business? There was no other discussion.

Chairman Farrell moved for adjournment and Mayor Bonner 2nd the motion. It was carried unanimously and was adjourned at 8:00 p.m.